

1 BEFORE THE ARIZONA MEDICAL BOARD

2 In the Matter of

3 MARCO SOBRINO, M.D.

4 Holder of License No. 40371
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Case No. MD-11-1451A

ORDER FOR DECREE OF CENSURE
AND CONSENT TO THE SAME

7 Marco Sobrino, M.D. ("Respondent") elects to permanently waive any right to a
8 hearing and appeal with respect to this Order for Decree of Censure; admits the
9 jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order
10 by the Board.

11 FINDINGS OF FACT

12 1. The Board is the duly constituted authority for the regulation and control of
13 the practice of allopathic medicine in the State of Arizona.

14 2. Respondent is the holder of license number 40371 for the practice of
15 allopathic medicine in the State of Arizona.

16 3. The Board initiated case number MD-11-1451A after receiving a
17 Disciplinary Action Report indicating that the Washington Medical Board disciplined
18 Respondent on October 15, 2011.

19 4. On May 26, 2009, patient AJ met with Respondent just prior to her
20 scheduled liposuction procedure. Respondent checked AJ for hernias, evaluated her skin
21 integrity, marked the areas to be liposuctioned and took photographs. A non-certified
22 medical assistant prepared the tumescent solution. There was no documentation of the
23 total amount of solution used during the procedure or the total amount of material
24 removed. AJ received nitrous oxide throughout the procedure without pulse oximetry or
25 electrocardiogram monitoring. At the conclusion of the procedure, AJ became drowsy

1 and experienced nausea. Respondent ordered the medical assistant to administer her
2 Zofran and observe her. Respondent did not check on AJ's status again. On May 27,
3 2009, AJ died and an autopsy concluded that the cause of death was "acute lidocaine
4 intoxication due to infiltration of soft tissue with lidocaine containing fluid during laser
5 assisted tumescent liposuction."

6 5. The Washington Medical Board found that Respondent failed to adequately
7 supervise and engaged in conduct/practice which is or might be harmful/dangerous to the
8 health of the patient/public. Respondent's medical license was suspended for thirty days,
9 after which he was to be placed on probation for at least three years. Respondent was
10 ordered to obtain CME in medical ethics, local anesthetic toxicity, risks and complications
11 of office-based surgery, complications of tumescent anesthesia and liposuction, and
12 documentation/charting of patient encounters. Respondent is required to personally
13 prepare the tumescent solution containing lidocaine for every liposuction surgery he
14 performs, document the components and amount infiltrated, and have unannounced
15 semi-annual reviews to determine compliance. He was also assessed a fine in the
16 amount of \$5,000.

17 CONCLUSIONS OF LAW

18 1. The Board possesses jurisdiction over the subject matter hereof and over
19 Respondent.

20 2. The conduct and circumstances described above constitute unprofessional
21 conduct pursuant to A.R.S. § 32-1401(27)(A.R.S. §32-1401(27)(o) – ("[a]ction that is
22 taken against a doctor of medicine by another licensing or regulatory jurisdiction due to
23 that doctor's mental or physical inability to engage safely in the practice of medicine, the
24 doctor's medical incompetence or for unprofessional conduct as defined by that jurisdiction
25 and that corresponds directly or indirectly to an act of unprofessional conduct prescribed

1 by this paragraph. The action taken may include refusing, denying, revoking or
2 suspending a license by that jurisdiction or a surrendering of a license to that jurisdiction,
3 otherwise limiting, restricting or monitoring a licensee by that jurisdiction or placing a
4 licensee on probation by that jurisdiction. gross negligence, repeated negligence or
5 negligence resulting in harm to or the death of a patient.")

6 ORDER

7 IT IS HEREBY ORDERED THAT Respondent is issued a Decree of Censure.

8
9 DATED AND EFFECTIVE this 3RD day of July, 2014.

10
11 (SEAL)



ARIZONA MEDICAL BOARD

12
13 By 

14 Lisa S. Wynn
15 Executive Director

16 CONSENT TO ENTRY OF ORDER

17 1. Respondent has read and understands this Consent Agreement and the
18 stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent
19 acknowledges he has the right to consult with legal counsel regarding this matter.

20 2. Respondent acknowledges and agrees that this Order is entered into freely
21 and voluntarily and that no promise was made or coercion used to induce such entry.

22 3. By consenting to this Order, Respondent voluntarily relinquishes any rights
23 to a hearing or judicial review in state or federal court on the matters alleged, or to
24 challenge this Order in its entirety as issued by the Board, and waives any other cause of
25 action related thereto or arising from said Order.

1 4. The Order is not effective until approved by the Board and signed by its
2 Executive Director.

3 5. All admissions made by Respondent are solely for final disposition of this
4 matter and any subsequent related administrative proceedings or civil litigation involving
5 the Board and Respondent. Therefore, said admissions by Respondent are not intended
6 or made for any other use, such as in the context of another state or federal government
7 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or
8 any other state or federal court.

9 6. Upon signing this agreement, and returning this document (or a copy
10 thereof) to the Board's Executive Director, Respondent may not revoke the consent to the
11 entry of the Order. Respondent may not make any modifications to the document. Any
12 modifications to this original document are ineffective and void unless mutually approved
13 by the parties.

14 7. This Order is a public record that will be publicly disseminated as a formal
15 disciplinary action of the Board and will be reported to the National Practitioner's Data
16 Bank and on the Board's web site as a disciplinary action.

17 8. If any part of the Order is later declared void or otherwise unenforceable, the
18 remainder of the Order in its entirety shall remain in force and effect.

19 9. If the Board does not adopt this Order, Respondent will not assert as a
20 defense that the Board's consideration of the Order constitutes bias, prejudice,
21 prejudgment or other similar defense.

22 10. Any violation of this Order constitutes unprofessional conduct and may result
23 in disciplinary action. A.R.S. § § 32-1401(27)(r) ("[v]iolating a formal order, probation,
24 consent agreement or stipulation issued or entered into by the board or its executive
25 director under this chapter") and 32-1451.

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3 Marco Sobrino, M.D.

DATED: 1/4/2012

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5 EXECUTED COPY of the foregoing mailed
6 this 30 day of July, 2011 to:

7 Marco Sobrino, M.D.
8 Address of Record

9 ORIGINAL of the foregoing filed
10 this 30 day of July, 2011 with:

11 Arizona Medical Board
12 9545 E. Doubletree Ranch Road
13 Scottsdale, AZ 85258

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15 Arizona Medical Board Staff
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